

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

01 SEP -7 AM 9:14

U.S. DISTRICT COURT
N.D. OF ALABAMA

LINDA STOUT, et al.,)
Plaintiffs,)
and)
UNITED STATES OF AMERICA,)
Plaintiff-Intervenor,)
vs.) CV 65-J-396-S
JEFFERSON COUNTY BOARD)
OF EDUCATION, et al.,)
Defendants.)

ENTERED
SEP 7 2001
a

ORDER

This cause comes before the court on the motion for court approval to allow Patrick and Tyler McGrady to attend Gardendale schools together, which was filed September 5, 2001, and the court having considered said motion, the court finds as follows:

That the defendant, Jefferson County Board of Education, previously granted petitioner's son Patrick and petitioner's daughter transfers from the Tarrant school system to Gardendale;

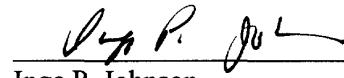
That petitioner's youngest son Tyler was to begin school this year and that he was denied a transfer request from the Tarrant school system to Snow Rogers.

The court further finds that it would not be a compelling hardship for petitioner's youngest child to start in the school system he is legally required to attend pursuant to the court's order of September 8, 1971; wherefore the motion is hereby DENIED.

765

It is further found that the School Board has not denied transfer for petitioner's son Patrick, but that petitioner voluntarily withdrew him from the school he was attending, wherefore the court finds the motion with respect to Patrick MOOT.

DONE and **ORDERED** this 6 day of September, 2001.



Inge P. Johnson
United States District Judge